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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,244	06/28/2001	Sreeram Duvvuru	P6197	9154
35690	7590	04/21/2005	EXAMINER	
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398 AUSTIN, TX 78767-0398			PARTON, KEVIN S	
		ART UNIT		PAPER NUMBER
				2153

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/896,244	DUVVURU, SREERAM
	Examiner	Art Unit
	Kevin Parton	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11/16/2004

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-27 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-27 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

KL

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 10, and 19 have been considered but are moot in view of the new ground(s) of rejection. Please note that new grounds of rejection were necessitated by the applicant's amendment.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Bhoj et al. (USPN 6,742,016).

4. Regarding claims 1, 10, and 19, Bhoj et al. (USPN 6,742,016) teach a system for providing differentiated quality of service in an application server comprising:

a. A server system receiving a request (column 3, lines 27-35).

b. In response to receiving the request:

Accessing pre-determined policy data (column 3, lines 60-63; figure 5A).

Establishing a quality of service context based on the request and the policy data (column 3, lines 60-63; column 6, lines 18-22).

Propagating the quality of service context with the request in the server system (column 7, lines 52-55). Note that the context is forwarded on to the queues.

5. Regarding claims 2, 11, and 20, Bhoj et al. (USPN 6,742,016) teach all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein the request includes at least one of user identity, current user role, requested service, and time constraint (column 9, lines 1-20). Note that the factors considered in the reference are analogous to both user role and requested service.
6. Regarding claims 3, 12, and 21, Bhoj et al. (USPN 6,742,016) teaches all the limitations as applied to claims 1, 10, and 19, respectively. He further teaches means wherein the quality of service context includes at least one of service class, priority, and deadline (column 3, lines 33-40).
7. Regarding claims 4, 13, and 22, Bhoj et al. (USPN 6,742,016) teaches all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein the establishing a quality of service context is completed at an ingress point (column 3, lines 33-40).
8. Regarding claims 5, 14, and 23, Bhoj et al. (USPN 6,742,016) teaches all the limitations as applied to claims 4, 13, and 22, respectively. They further teach means wherein the ingress point is at least one of a web server plug-in within a web server client and a protocol manager within the application server (column 3, lines 33-40). Note that the acceptor is a type of protocol manager.

9. Regarding claims 6, 15, and 24, Bhoj et al. (USPN 6,742,016) teaches all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means for propagating the quality of service context with a subsequent request related to the request (column 9, lines 1-5).

10. Regarding claims 7, 16, and 25, Bhoj et al. (USPN 6,742,016) teaches all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein the propagating includes inserting the quality of service context adjacent to at least one of a security and transaction context (column 9, lines 1-20; column 6, lines 19-23).

11. Regarding claims 8, 17, and 26, Bhoj et al. (USPN 6,742,016) teach all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein a load balancing service dispatches the request including the quality of service context, to an application server in a plurality of application servers, based on the quality of service context (column 9, lines 1-20; column 7, lines 51-55).

12. Regarding claims 9, 18, and 27, Bhoj et al. (USPN 6,742,016) teach all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein a request manager service dispatches the request including the quality of service context, to a component in a plurality of components, based on the quality of service context (column 9, lines 1-20; column 7, lines 51-55).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the following:

- a. Hayes, Jr. (USPN 6,105,063)
- b. Regnier et al. (USPN (5,689,708)
- c. Haverstock et al. (USPN 6,434,607)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (571)272-3958. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Parton
Examiner
Art Unit 2153

ksp



Dung C. Dinh
Primary Examiner